

ELEVENTH DAY.

Senate Chamber,
Austin, Texas,
September 30, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
DeBerry.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Fellbaum.	Moore.
Hopkins.	Oneal.

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Sulak.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.**Senators Excused.**

The following Senators were excused for the day on account of important business:

Senator Hopkins on motion of Senator Rawlings.

Senator Oneal was excused on account of sickness on motion of Senator Collie.

Senate Bill No. 33.

By Senator Hopkins, et al.:

S. B. No. 33, A bill to be entitled "An Act to amend Article 5139 of the Revised Civil Statutes of Texas of 1925, providing for constituting the district judges, judges of the criminal district courts, and county

judges of certain counties, juvenile boards for such counties; providing salaries for the judges of the district courts of certain counties as members of said juvenile boards, and the manner of payment of same; repealing all laws in conflict herewith; and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senate Bill No. 34.

By Senator Hornsby:

S. B. No. 34, A bill to be entitled "An Act to appropriate money to pay judgment for the sum of Twelve Hundred (\$1200.00) Dollars against the State of Texas in favor of R. D. Winder in cause No. 52982 in the 126th District Court of Travis County, and declaring an emergency."

Read and referred to the Committee on Finance.

Senate Bill No. 35.

Senator Burns sent up the following bill:

By Senators Hill, Redditt, Holbrook, Burns and Small:

S. B. No. 35, A bill to be entitled "An Act making an appropriation to make certain repairs to the roof, skylights and interior of the State Capitol building; and declaring an emergency."

Read and referred to the Committee on Finance.

S. C. R. No. 2.

Whereas, On or about the 15th day of May, 1935, Miss Hattie Ray Watson, daughter of T. T. Watson of Leon County, Texas, was traveling as a guest in a car driven by Freddie Jones in Trinity County, Texas, and was going from the town of Groveton to the town of Trinity in Trinity County, Texas, and at Caney creek on said highway the same being a State Highway and maintained under the direction of the State Highway Commission, the bridge and a portion thereof was washed away, and the employees of the State Highway Commission had placed two runners, the same being about eight or ten inches wide across and over the washed out portion of said bridge, and buttment, so that cars crossing said bridge would

run about five or six feet over said runners. That no danger sign was at or near said place indicating that there was danger in crossing said bridge, and no person was stationed thereat to give danger signals and the car driven by Freddie Jones in which Hattie Ray Watson was riding was driven up to and on said runners before the driver, Freddie Jones, realized that there was danger and the said Freddie Jones in applying his brakes caused said car to turn off of said runners and into said creek to a depth of about twenty feet, and in turning off and falling into said creek Miss Hattie Ray Watson was injured to such an extent that her entire right arm had to be removed and the cost for said operation was heavy, and she, the said Miss Hattie Ray Watson, is damaged by reason of the loss of her arm for her entire life in addition to the physical pain and suffering, and in addition to the loss of usefulness of said right arm; and

Whereas, She, Miss Hattie Ray Watson did suffer intense physical pain, and has lost the use of her right arm and has incurred three hundred fifty or more dollars expense incident to the removal of her arm; and

Whereas, The accident was caused by the carelessness and negligence of an employee and/or employees of the State Highway Department; and

Whereas, Miss Hattie Ray Watson desires to bring suit against the State of Texas and the State Highway Department of Texas for such an amount as may be sufficient to compensate her for the loss of her arm, for the physical pain suffered, and for the expenses of her operation; and

Whereas, The said Miss Hattie Ray Watson has not been compensated for her loss; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, That the said Miss Hattie Ray Watson or her heirs, executors and administrators, be and they are hereby authorized to bring suit against the State Highway Department of Texas and The State of Texas, in any Court of competent

jurisdiction of Travis County, Texas, for such amount as said Miss Hattie Ray Watson may be entitled to recover by reason of such resulting damages; and that in case such suit be filed, service of citation or other necessary process be had upon the Governor of the State of Texas, the Chairman of the State Highway Commission of Texas, and the Attorney General of Texas, and that the same have the same force and effect as made and provided in civil cases; and provided that either one of the parties of said suit shall have the right to appeal without the execution of bond; and that any judgment that may be finally established against the State of Texas and The State Highway Commission of Texas, or either of them, in said suit shall be a liquidated debt, and shall be paid by the State Highway Commission of Texas out of the State Highway funds.

BURNS.

Read and referred to the Committee on State Affairs.

Message From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House, with the following message:

Hall of the House or Representatives,
Austin, Texas, Sept. 30, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. C. R. No. 4, Authorizing the Highway Department to pay to A. G. Hutton of Muenster, Texas, for damages created by an overpass near his place of business.

H. C. R. No. 5, Permitting W. M. Rousseau of Haskell, Texas, to sue the State of Texas and State Highway Department for personal injuries.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bills and Resolutions Referred.

H. B. No. 36 was read and referred to the Committee on State Affairs.

H. C. R. 4 was read and referred to the Committee on State Affairs.

H. C. R. No. 5 was read and referred to the Committee on State Affairs.

Senate Bill No. 17.

The Chair laid before the Senate S. B. No. 17, which had been read the second time.

Senator Holbrook explained the amendments and moved the adoption of Amendment No. 1.

Amendment No. 1.

Amend Section 2 of S. B. No. 17, page 1, line 59, to read as follows:

"Section 2. That Article 7320 of the Revised Civil Statutes of 1925 be amended to read as follows:

"Article 7320: All lands and lots which have been returned delinquent or reported sold to the State, or to any city or town, or to a school district, or to any other taxing subdivision, since the thirty-first day of December, 1919, or which may hereafter be returned delinquent shall be subject to the provisions of this Chapter, and said taxes shall remain a lien upon the said land, although the owner be unknown, or it be listed in the name of a person not the actual owner; and though the ownership be changed, the land may be sold as provided for by this Act, for all taxes, interest, penalty and costs shown to be due by such assessment for any preceding year or years, except this Act shall not apply to any property delinquent prior to December 31, 1919. No delinquent taxpayer shall have the right to plead or in any manner rely upon any statute of limitation by way of a defense against the foreclosure of the tax lien for taxes due by the property delinquent, due the State and county, city or town, school district, or any other taxing subdivision for any year or years on assessments which have become delinquent since December 31, 1919. Provided further, that the collection of all delinquent ad valorem taxes due the State, county, municipality or other defined subdivision that were delinquent prior to December 31, 1919, is forever barred."

HOLBROOK.

Read and adopted.

Amendment No. 2.

Amend S. B. No. 17, page 2, line 17, through page 3, line 39, by striking out Section 3 of the bill.

HOLBROOK.

Read and adopted.

Amendment No. 3.

Amend Section 6 of S. B. No. 17, page 4, line 12, to read as follows:

"Section 6. That there shall be added a new Article just after Article 7324, and numbered 7324-A, which shall read as follows:

"Article 7324-A. If such taxes are not paid on or before the expiration of sixty (60) days after the date on which said notice was sent, the person employed by the Commissioners' Court to collect delinquent taxes under authority of Section 14 hereof, or the Assessor and Collector of taxes, shall immediately prepare, present to the Commissioners' Court of such county, a list of all property on which such delinquent taxes are due and unpaid, and the Commissioners' Court of such county, after having examined said lists, shall by an order entered upon its minutes direct the sheriff of such county to sell such property shown on said list in the manner provided for in this Act.

Provided that the Commissioners shall have discretionary power to suspend the sale of any property until a later date, stating good and sufficient reasons by order entered of record in the minutes of said court, based only upon the written and signed application of the delinquent taxpayer, to be filed with the county clerk, which application shall contain the description of said property, the years and the total amounts of taxes delinquent, and the reason the delinquent taxpayer is asking that said sale be deferred; provided further that said order of said Commissioners' Court, deferring the time of such sale, shall fix a definite time when such sale shall be made, not to exceed one year from the date such sale was first to be made, and provided further, that only one extension of time of sale shall be granted to a delinquent taxpayer upon the taxes due for any year or years.

No such order by the Commissioners' Court shall change, diminish or increase the amount of taxes delin-

quent or the penalties and interest charges upon delinquent taxes fixed by existing laws.

HOLBROOK.

Read and pending.

Senator Woodruff sent up the following:

Amendment to Amendment No. 3, to S. B. No. 17. Strike out in lines 8 and 9, second paragraph of the amendment the words, "And the reason the delinquent taxpayer is asking that said sale be deferred," and insert the following:

"and shall set forth under oath, to the satisfaction of the Commissioners' Court after hearing, the inability of the delinquent taxpayer to pay said taxes within the time specified in the notices, and that he has reasonable expectation of being able within the period of extension applied for to pay all taxes due."

WOODRUFF.

Read.

The amendment to the pending amendment No. 3 was adopted.

Amendment No. 3 as amended was adopted by viva voce vote.

Amendment No. 4.

Amend Section 7 of S. B. No. 17, page 4, line 25, to read as follows:

"Section 7. That there shall be added after Article 7324-A a new Article numbered 7324-B, which shall read as follows:

"Article 7324-B. The person employed by the Commissioners' Court to collect delinquent taxes, or the assessor and collector of taxes, upon issuance of order of sale as provided in Article 7324-A shall immediately prepare written statements on forms prescribed by the Comptroller of Public Accounts for that purpose, giving the name or names of the owner or owners and any lien holders of such property and their addresses, giving a description of the property and its location, the taxes, penalty, interest and costs due on such property, the year or years delinquent since December 31, 1919, and a description of the property shall be supplemented, where possible, by a reference to the book and page of the deed records of the county. Such application shall be sworn to and shall request the issuance of notice as provided in Article 7324-C. Lien

holder may file name, address and description of the real property encumbered with the assessor and collector within ninety (90) days after this law goes into effect and thereafter each year before the expiration of the date when renditions of property must be made as provided by law, and such name and address filed thereafter from year to year shall be noted on the tax roll for the year filed, and the assessor and collector shall look to such data for the years that such name and address is not shown on the tax rolls and shall look to the rolls thereafter for the names and addresses of the lien holders for the giving of the notice and citation herein provided."

HOLBROOK.

Read and adopted.

Amendment No. 5.

Amend Section 8 of S. B. No. 17, page 4, line 49, so as to read as follows:

"Sec. 8. That there shall be added after Article 7324-B a new Article numbered 7324-C, which shall read as follows:

"Article 7324-C. The sheriff of such county, when such order of sale has been issued, shall serve such owner or owners and/or lien holders with citation and final notice notifying said delinquent the day, month and year the property will be sold; that such sale will be held at the court house door between the hours of ten o'clock a. m. and four o'clock p. m. on the first Tuesday of the second month after the citation and final notice were served. Payment of such taxes, penalty, and interest may be made at any time before the sale is held. Receipt for the taxes, penalty, and interest so paid shall be issued by the tax collector upon the payment of the total amount due, and the sheriff of such county, when such receipt is presented to him and the costs accrued in such proceeding paid, shall report the payment of such taxes, penalty, and interest to the person, if any, employed by the commissioners' court to collect delinquent taxes. If the address of the delinquent owner and/or lien holder is known a copy of the citation and final notice hereinabove provided for shall be sent to him by registered mail, return receipt requested, and such receipt shall be

conclusive evidence of legal service. If the address of the delinquent owner and/or lien holder is unknown, the sheriff shall serve the final citation and notice herein required by posting written notices of the proposed sale of the property for taxes, containing all the information hereinabove set out, for three consecutive weeks prior to the day of sale, in three public places in the county, one of which shall be posted at the court house door of the county in which such sale is to be made."

HOLBROOK.

Read and pending.

Senator Poage sent up the following:

Amend pending Amendment No. 5 by adding thereto the following: "and another in addition thereto shall be posted at a conspicuous place on each separate tract or parcel of the property to be sold."

POAGE.

Read and adopted.

Amendment No. 5 as amended was adopted.

Amendment No. 6.

Amend S. B. No. 17, Section 10, Sub-section 2, page 6, line 30, by changing the period at the end of the sub-section to a comma and adding the following: "provided, however, that in case it shall be proven to the satisfaction of the commissioners' court that taxes had in fact been paid by the owner prior to the time such person, company or corporation made such payment and received such transfer, then and in that event the commissioners' court shall issue an order directing that the assessor and collector of taxes issue a refund of the amount paid by such person, company or corporation to the tax assessor and collector and thereupon such transfer shall become void. The amount of such refund shall be charged to and paid out of State, county and district funds in the same proportion as the money was distributed to these funds out of the amount paid by such person, company or corporation for such transfer of tax lien."

HOLBROOK.

Read and adopted.

Amendment No. 7.

Amend S. B. No. 17, Section 10, Sub-section 5, page 6, line 44, by striking out the following: "eight per cent (8%) per annum" and inserting in lieu thereof, the following: "is provided by law"

HOLBROOK.

Read and adopted.

Amendment No. 8.

Amend S. B. No. 17, Section 11, Sub-section 1, page 1, line 30, by changing the period after the word "property" to a comma and adding the following:

"and/or lien holder who has complied with the provisions of Section 7 of this Act."

HOLBROOK.

Read and adopted.

Amendment No. 9.

Amend S. B. No. 17, Section 12, Sub-section 1, page 1, line 48, by changing the period after the word "property" to a comma and adding the following:

"and/or lien holder who has complied with the provisions of Section 7 of this Act."

HOLBROOK.

Read and adopted.

Amendment No. 10.

Amend S. B. No. 17, Section 13, page 8, line 14, by striking out all after the word "redeemed" through the word "total" in line —, and inserting in lieu thereof the following:

"within the first year of the redemption period, the amount of money paid for the land, including the One (\$1.00) Dollar Tax Deed Recording Fee and all taxes, penalties, interest and costs paid plus twenty-five (25%) per cent of the aggregate total. Second, by paying, if redeemed within the last year of the redemption period, the amount of money paid for the land, including One (\$1.00) Dollar Tax Deed Recording Fee and all taxes, penalties, interest and costs paid plus Fifty (50%) per cent of the aggregate total."

HOLBROOK.

Read and adopted.

Amendment No. 11.

Amend S. B. No. 17, Section 14, page 8, line 48, by striking out the following:

"Such person shall be a resident of and shall have resided in the county where the delinquent property is situated for a period of six months prior to his employment."

HOLBROOK.

Read.

Motion to Table.

Senator Rawlings moved to table Amendment No. 11.

The motion to table prevailed by the following vote:

Yeas—17.

Beck.	Rawlings.
Burns.	Redditt.
Cotten.	Regan.
DeBerry.	Shivers.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Neal.	Woodruff.
Pace.	

Nays— 5.

Blackert.	Holbrook.
Collie.	Poage.
Davis.	

Absent—Excused.

Fellbaum.	Oneal.
Hill.	Sanderford.
Hopkins.	Small.
Moore.	Westerfeld.

Amendment No. 12.

Amend S. B. No. 17, Section 14, page 9, line 1, by striking out the following:

"provided said collector resides in one of the counties affected."

HOLBROOK.

Read.

Motion to Table.

Senator Rawlings moved to table Amendment No. 12.

The motion to table prevailed by viva voce vote.

Amendment No. 13.

Amend S. B. No. 17, Section 16, page 9, line 17, by striking out the

words and figures "ten per cent (10 %)" and inserting in lieu thereof the following:

"fifteen per cent (15 %)"

HOLBROOK.

Read.

Motion to Table.

Senator Rawlings moved to table Amendment No. 13.

The motion prevailed by viva voce vote.

Amendment No. 14.

Amend S. B. No. 17, Section 16, page 9, line 20, by striking out the words and figures "five per cent (5 %)" and inserting in lieu thereof the following: "ten per cent (10 %)"

HOLBROOK.

Read.

Motion to Table.

Senator Rawlings moved to table Amendment No. 14.

The motion to table prevailed by viva voce vote.

Amendment No. 15.

Amend S. B. No. 17, Section 24, page 11, line 36, by changing the period at the end of said section to a comma, and adding thereto, the following:

"but this Act is not intended to repeal or supersedes any portion of the laws now in effect providing for the foreclosure of tax liens by a suit in court."

HOLBROOK.

Read and adopted.

Senator Holbrook yeilded the floor to Senator Hill who received unanimous consent to send up a courtesy resolution.

Senate Resolution No. 9.

Whereas, The Honorable Wright Patman, a distinguished member of Congress, is a guest in the City of Austin and now in the Capitol,

Therefore, Be It Resolved that this gentleman be given the privilege of the floor and requested to address the Senate.

BECK,
HILL,
WESTERFELD,
BLACKERT,
BURNS.

S. R. No. 9 was adopted unanimously.

The Chair, Lieutenant Governor Walter F. Woodul, appointed Senators Beck, Hill and Westerfeld to escort the distinguished visitor to the platform.

The Chair presented Senator Beck and he presented the Hon. Wright Patman who addressed the Senate.

Senate Bill No. 17.

Pending business was S. B. No. 17.

Senator Holbrook asked unanimous consent to correct the following typographical errors, the words: "when" to "then," in line 64, page 3, and change "of" to "or" in line 48, page 6 of printed bill.

Unanimous consent was granted.

Senator Poage asked unanimous consent to change the words "cannot be" to "is not," in Amendment No. 4, third line from the bottom of page.

Unanimous consent was granted.

Senator Holbrook asked unanimous consent to amend the caption to conform to the body of the bill as amended.

Unanimous consent was granted.

Senator DeBerry sent up the following:

Amend S. B. 17, page 2, immediately following Holbrook Amendment No. 1, by adding the following:

"The Assessor-Collector of Taxes of the State and of any political subdivision in the State shall issue on request certificates showing status of the property described in such certificate, and when such certificate shows taxes to have been fully paid same shall be conclusive evidence of such payment. In every instance when such a certificate is so issued, the Tax Collector issuing same shall be liable in damages to the State or political subdivision to which such taxes are due in an amount equal to all back taxes that may be due and not revealed in the certificates.

BEBERRY.

Read and pending.

Senate Bill No. 36.

The Chair recognized Senator Stone, who received unanimous consent to send up the following bill:

By Senator Stone:

S. B. No. 36, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to loan fifteen thousand five hundred twenty-five dollars and seventy-one cents (\$15,525.71) each year of the current biennium out of the local funds of the college for the purpose of refinancing the Agricultural and Mechanical College Stadium Bonds now in default; and declaring an emergency."

Read and referred to the Committee on Finance.

Senate Bill No. 37.

The Chair recognized Senator Redditt, who received unanimous consent to send up the following bills:

By Senator Redditt:

S. B. No. 37, A bill to be entitled "An Act making an appropriation of seventy-five thousand (\$75,000.00) dollars or so much thereof as may be necessary to be used by the State Reclamation Department for the making of topographic and hydrographic surveys, assembling necessary data, and defraying the expense of publication of maps, reports, and data gathered and assembled by the aforesaid topographic and hydrographic surveys for the public use, of certain areas and lands within the State where the reclaiming and drainage of said areas and lands is being delayed and prevented because of the lack of such maps, reports and data; making it possible for the State Reclamation Department to co-operate with certain Federal and State agencies to the end that the maximum amount of Federal aid may be obtained for the performance of said surveys; for the continuation of the campaign for the control and prevention of malaria; to assist and expedite the planning and devising of comprehensive plans of reclamation, drainage, and malaria control, and declaring an emergency."

Read and referred to the Committee on Finance.

Senate Bill No. 38.

By Senator Redditt:

S. B. No. 38, A bill to be entitled "An Act making an appropriation of money to the Texas State Park Board

for improvement and construction work in the state parks of Texas, providing the manner of distribution, providing the proper supervision, and declaring an emergency."

Read and referred to the Committee on Finance.

Recess.

On motion of Senator Holbrook the Senate at 12:03 o'clock p. m. recessed until 2:30 o'clock p. m.

After Recess.

The Senate met at 2:30 o'clock p. m., pursuant to recess and was called to order by Lieutenant Governor Walter F. Woodul.

At Ease.

On motion of Senator Pace the Senate stood at ease 10 minutes to allow the Finance Committee to complete a hearing on important bills.

Senate Called to Order.

The Chair called the Senate to order at 2:40 o'clock p. m.

Senate Bill No. 17.

Pending business was the pending amendment by Senator DeBerry to S. B. No. 17.

Motion to Table.

Senator Sanderford moved to table the amendment by Senator DeBerry.

The motion to table failed by viva voce vote.

Second reading of the amendment was called for.

Senator Van Zandt asked unanimous consent to amend the DeBerry amendment by adding "or his predecessor in error," after the word "same."

Unanimous consent was granted.

The amendment by Senator DeBerry as amended was adopted by the following vote:

Yeas—18.

Beck.	Pace.
Blackert.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Shivers.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.

Nays—4.

Burns.	Sanderford.
Holbrook.	Woodruff.

Absent.

Hill.	Small.
Néal.	Stone.

Absent—Excused.

Fellbaum.	Moore.
Hopkins.	Oneal.

Motion to Print.

Senator Rawlings moved to print the bill, as amended.

The Chair held the motion out of order.

Laid on Table Subject to Call.

Senator Rawlings moved to lay on the table subject to call S. B. No. 17 and that in the interim the bill be mimeographed as amended, and laid on the Senators' desks.

The motion prevailed by viva voce vote.

Senate Bill No. 19.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodruff:

S. B. No. 19, A bill to be entitled "An Act making appropriation of funds out of the State Treasury, not otherwise appropriated, for the purpose of paying certain Deficiency Certificates for fees and costs of sheriffs, county attorneys, and clerks in felony cases for expense incurred or fees accrued for services rendered during the year ended August 31, 1935, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Woodruff the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 19 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Collie.
Blackert.	Cotten.
Burns.	Davis.

DeBerry.	Redditt.
Hill.	Regan.
Holbrook.	Sanderford.
Hornsby.	Shivers.
Isbell.	Small.
Martin.	Stone.
Neal.	Sulak.
Pace.	Van Zandt.
Poage.	Westerfeld.
Rawlings.	Woodruff.

Absent—Excused.

Fellbaum.	Moore.
Hopkins.	Oneal.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
DeBerry.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Fellbaum.	Moore.
Hopkins.	Oneal.

Senate Bill No. 20.

The Chair laid before the Senate on its second reading the following bill:

By Senators Regan and Beck:

S. B. No. 20, A bill to be entitled "An Act making certain appropriations for the hospitalization of indigent tuberculous patients in private sanatoria within this state; authorizing the Board of Control and the Superintendent of the State Tuberculosis Sanatorium to enter into contracts with private sanatoria for the hospitalization of such tuberculars under the rules and regulations as at present established by law for admission to the State Tuberculosis Sanatorium, and removing the restrictions as to color in the hospitalization of tuberculosis patients in private sanatoria; limiting the amount to be paid per patient per day to the sum of \$2.50; increasing the salary of the Superintendent of the State Tuberculosis Sanatorium as

compensation for such additional service; providing that if any portion of this act be held invalid, the remaining portions shall be unaffected thereby; and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by the following vote:

Yeas—13.

Beck.	Regan.
Burns.	Sanderford.
Collie.	Shivers.
Cotten.	Stone.
Martin.	Westerfeld.
Neal.	Woodruff.
Rawlings.	

Nays—10.

Blackert.	Hornsby.
Davis.	Isbell.
DeBerry.	Pace.
Hill.	Redditt.
Holbrook.	Van Zandt.

Absent.

Poage.	Sulak.
Small.	

Absent—Excused.

Fellbaum.	Moore.
Hopkins.	Oneal.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 20 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
DeBerry.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Fellbaum.	Moore.
Hopkins.	Oneal.

Read third time.

Senator Beck moved the final passage of S. B. No. 20.

The motion prevailed by the following vote:

Yeas—15.

Beck.	Regan.
Burns.	Sanderford.
Collie.	Shivers.
Davis.	Small.
Isbell.	Stone.
Martin.	Sulak.
Neal.	Westerfeld.
Rawlings.	

Nays—11.

Blackert.	Pace.
Cotten.	Poage.
DeBerry.	Redditt.
Hill.	Van Zandt.
Holbrook.	Woodruff.
Hornsby.	

Absent—Excused.

Fellbaum.	Moore.
Hopkins.	Oneal.

Reasons for vote on S. B. No. 20:

"I am not going to vote public money for private purpose. The policy of the bill is bad; will lead to abuse, and is probably unconstitutional as well."

JOE L. HILL.

Senate Bill No. 25.

The Chair laid before the Senate on its second reading the following bill:

By Senator Burns:

S. B. No. 25, A bill to be entitled "An Act making an appropriation of money for the Sam Houston State Teachers College, at Huntsville, Texas, providing for the purpose thereof and declaring an emergency."

Senator Burns moved that the rule requiring copies of printed bill to lie on desks for 24 hours be suspended as to S. B. No. 25.

The motion prevailed by viva voce vote.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

Senator Woodruff sent up the following amendment:

Amend S. B. No. 25 by adding appropriately in the bill the following:

"To construct two cottages at College of Industrial Arts, Denton, \$10,000.00."

WOODRUFF.

Read.

Point of Order.

Senator Burns raised the point of order that the amendment was not germane to the bill.

The Chair, Senator Rawlings presiding, overruled the point of order.

Senator Woodruff moved the adoption of the amendment.

Motion to Table.

Senator Burns moved to table the amendment by Senator Woodruff.

Motion pending.

Adjournment.

On motion of Senator Poage the Senate at 3:55 o'clock p. m. adjourned until 10 o'clock a. m. Tuesday.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Sept. 27, 1935.

Hon. Walter F. Woodul, president of the Senate.

Sir: We your Committee on Engrossed Bills, have had S. B. No. 16 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

TWELFTH DAY.

Senate Chamber,

Austin, Texas,

October 1, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Will Martin.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
DeBerry.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Martin.	Woodruff.